

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

SUNG KOOK (BILL) HWANG and
PATRICK HALLIGAN,

Defendants.

22 Cr. 240 (AKH)

DEFENDANTS' JOINT PROPOSED VERDICT FORMS

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WE, THE JURORS, DULY DRAWN AND SWORN TO TRY THIS ACTION, IN ACCORDANCE WITH PRINCIPLES OF LAW AS CHARGED BY THE COURT, SAY WE FIND OUR VERDICT BY ANSWERING THE FOLLOWING QUESTIONS SUBMITTED BY THE COURT:

As to defendant BILL HWANG

I. COUNT ONE: Racketeering Conspiracy

As to COUNT ONE, how do you find BILL HWANG?

Not Guilty _____ Guilty _____

II. COUNT TWO: Securities Fraud

As to COUNT TWO, how do you find BILL HWANG?

Not Guilty _____ Guilty _____

III. COUNT THREE: Market Manipulation (ViacomCBS (VIAC))

As to COUNT THREE, how do you find BILL HWANG?

Not Guilty _____ Guilty _____

IV. COUNT FOUR: Market Manipulation (Discovery Communications, Inc. (DISCA))

As to COUNT FOUR, how do you find BILL HWANG?

Not Guilty _____ Guilty _____

V. COUNT FIVE: Market Manipulation (Discovery Communications, Inc. (DISCK))

As to COUNT FIVE, how do you find BILL HWANG?

Not Guilty _____ Guilty _____

VI. COUNT SIX: Market Manipulation (GSX Techdu Inc. (GSX))

As to COUNT SIX, how do you find BILL HWANG?

Not Guilty _____ Guilty _____

VII. COUNT SEVEN: Market Manipulation (iQIYI, Inc. (IQ))

As to COUNT SEVEN, how do you find BILL HWANG?

Not Guilty _____ Guilty _____

VIII. COUNT EIGHT: Market Manipulation (Tencent Music Group (TME))

As to COUNT EIGHT, how do you find BILL HWANG?

Not Guilty _____ Guilty _____

IX. COUNT NINE: Market Manipulation (Vipshop Holdings Ltd. (VIPS))

As to COUNT NINE, how do you find BILL HWANG?

Not Guilty _____ Guilty _____

X. COUNT TEN: Securities Fraud (Counterparties)

As to COUNT TEN, how do you find BILL HWANG?

Not Guilty _____ Guilty _____

XI. COUNT ELEVEN: Wire Fraud (Counterparties)

Mr. Hwang and Mr. Halligan filed a reconsideration motion together with this Verdict Form and Requests to Charge seeking dismissal of Count Eleven of the Indictment as contrary to the Supreme Court’s unanimous decision in *Ciminelli v. United States*, 598 U.S. 306, 317 (2023) (reversing wire fraud convictions based on “right to control” theory). As outlined in defendants’ motion, Count Eleven alleges that defendants and others at Archegos “engaged in a scheme to defraud Archegos’s trading counterparties of *their rights to control their assets*, and thereby exposed Archegos’s counterparties to risk of economic harm, by false and misleading statements regarding Archegos’s business, portfolio, and assets, including through interstate wires.” Indictment ¶ 82 (emphasis added). This count must therefore be dismissed. In the event the Court denies defendants’ motion, however, defendants’ respectfully request the opportunity to submit a proposed verdict form as to Count Eleven.

As to defendant PATRICK HALLIGAN

I. COUNT ONE: Racketeering Conspiracy

As to COUNT ONE, how do you find PATRICK HALLIGAN?

Not Guilty _____ Guilty _____

II. COUNT TEN: Securities Fraud (Counterparties)

As to COUNT TEN, how do you find PATRICK HALLIGAN?

Not Guilty _____ Guilty _____

III. COUNT ELEVEN: Wire Fraud (Counterparties)

Mr. Hwang and Mr. Halligan filed a reconsideration motion together with this Verdict Form and Requests to Charge seeking dismissal of Count Eleven of the Indictment as contrary to the Supreme Court’s unanimous decision in *Ciminelli v. United States*, 598 U.S. 306, 317 (2023) (reversing wire fraud convictions based on “right to control” theory). As outlined in defendants’ motion, Count Eleven alleges that defendants and others at Archegos “engaged in a scheme to defraud Archegos’s trading counterparties of *their rights to control their assets*, and thereby exposed Archegos’s counterparties to risk of economic harm, by false and misleading statements regarding Archegos’s business, portfolio, and assets, including through interstate wires.” Indictment ¶ 82 (emphasis added). This count must therefore be dismissed. In the event the Court denies defendants’ motion, however, defendants’ respectfully request the opportunity to submit a proposed verdict form as to Count Eleven.